



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY 16 2014

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Richard L Flahive, VP/GM
Kenosha Steel Castings
3303 66th Street
Kenosha, Wisconsin 53142

Re: Administrative Order EPA-5-14-113(a)-WI-01

Dear Mr. Flahive:

Enclosed is an executed original of the Administrative Consent Order, regarding the above captioned case. If you have any questions about the Order, please contact me at (312) 886-6073.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brian Dickens", is written below the word "Sincerely".

Brian Dickens
Chief
Air Enforcement and Compliance Assurance Section (MN/OH)

Enclosure:

cc: Bill Baumann, Compliance, Enforcement & Emission Inventory Section Chief
Bureau of Air Management
Wisconsin Department of Natural Resources
101 South Webster Street
P.O. Box 7921 (AM/7)
Madison, Wisconsin 53707-7921

Dan Schramm, Supervisor
Wisconsin Department of Natural Resources
2300 North Dr. Martin Luther King Jr. Drive
Milwaukee, Wisconsin 53212

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

In the Matter of:)	EPA-5-14-113(a)-WI-01
)	
Kenosha Steel Castings)	Proceeding Under Sections 113(a)(1)(3) and
Kenosha, Wisconsin)	114(a)(1) of the Clean Air Act, 42 U.S.C.
)	§§ 113(a)(1)(3) and 114(a)(1)
_____)	

Administrative Consent Order

1. At its facility at 3303 66th Street, Kenosha, Wisconsin, Kenosha Steel Castings operates a metal melting furnace, which is defined as an "electric arc furnace or similar device that converts scrap, foundry returns, and/or other solid forms of iron and/or steel to a liquid state," 40 C.F.R. § 63.10906.

2. Particulate Matter (PM) hazardous air pollutants (HAPs) (e.g., manganese) generated by the metal melting furnace are vented to air pollution control equipment, specifically a baghouse.

3. Kenosha Steel Castings owns or operates an "emission source" within the meaning of Section 114 (a)(1) of the CAA, 42 U.S.C. § 7414(a)(1). Therefore, Kenosha Steel Castings is subject to the requirements of Section 114(a)(1).

4. On February 6, 2012, EPA conducted an inspection at Kenosha Steel Castings. During the inspection, EPA saw PM HAP, at the point of generation, escaping capture.

5. On January 14, 2014, EPA conducted an inspection at Kenosha Steel Castings. During the inspection, EPA saw PM HAP emissions emitting from the ductwork leading to the metal melting furnace baghouse.

6. With this ACO, EPA is issuing to Kenosha Steel Castings a finding of violation alleging that it violated the National Emissions Standards for Hazardous Air Pollutants

(NESHAP) for Area Source Foundries, found at 40 C.F.R. Part 63, Subpart ZZZZZ, by failing to maintain its air pollution control equipment for its metal melting furnace, in a manner consistent with good air pollution control practices for minimizing emissions.

7. Kenosha Steel Castings also violated the NESHAP General Provision at 40 C.F.R. § 63.6(e)(1)(i).

Compliance Program

8. By the effective date of this Order, Kenosha Steel Castings must achieve, demonstrate and maintain compliance with the NESHAP for Area Source Foundries at its Kenosha, Wisconsin facility.

9. Between February 2012 and October 2012, Kenosha Steel Castings hired ventilation engineers to evaluate ventilation improvements; cleaned the 34-inch baghouse duct; adjusted the upper damper control; installed skirting around metal melting furnace roof; capped off portions of the ventilation system to improve airflow; and installed high-temperature-controllers on the baghouse to achieve compliance with 40 C.F.R. § 63.6(e)(1)(i).

10. From January 13 through 15, 2014, Kenosha Steel Castings replaced the weld on the baghouse inlet duct with a new plate and adjusted the baghouse auger gasket, to achieve compliance with 40 C.F.R. § 63.6(e)(1)(i).

11. Kenosha Steel Castings must prepare an Operation and Maintenance (O&M) Plan for the metal melting furnace air pollution control equipment (i.e., baghouse) and submit the O&M Plan to EPA for review by four weeks from the effective date of this order under Section 114(a)(1) of the CAA, 42 U.S.C. § 7414(a)(1).

12. Kenosha Steel Castings must send all reports required by this Order to:

Attention: Compliance Tracker (AE-17J)
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

General Provisions

13. This Order does not affect Kenosha Steel Casting's responsibility to comply with other federal, state, and local laws.

14. This Order does not restrict EPA's authority to enforce the Wisconsin state implementation plan, Section 112 of the CAA or any other section of the CAA.

15. Nothing in this Order limits the EPA's authority to seek appropriate relief, including penalties, under Section 113 of the CAA, 42 U.S.C. § 7413, for Kenosha Steel Casting's violation of the NESHAP for Area Source Foundries.

16. Failure to comply with this Order may subject Kenosha Steel Castings to penalties of up to \$37,500 per day for each violation under Section 113 of the CAA, 42 U.S.C. § 7413, and 40 C.F.R. Part 19.

17. The terms of this Order are binding on Kenosha Steel Castings, its assignees and successors. Kenosha Steel Castings must give notice of this Order to any successors in interest prior to transferring ownership and must simultaneously verify to EPA, at the above address, that it has given the notice.

18. Kenosha Steel Castings may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B, for any portion of the information it submits to EPA. Information subject to a business confidentiality claim is available to the public only to the extent allowed by 40 C.F.R. Part 2, Subpart B. If Kenosha Steel Castings fails to assert a business confidentiality claim, EPA may make all submitted information available, without further notice, to any member

of the public who requests it. Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2, Subpart B. "Emission data" is defined at 40 C.F.R. § 2.301.


19. This order is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information by an agency from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic recordkeeping efforts, please furnish an electronic copy on physical media such as compact disk, flash drive or other similar item. If it is not possible to submit the information electronically, submit the response to this Order without staples; paper clips and binder clips, however, are acceptable.

20. EPA may use any information submitted under this Order in an administrative, civil judicial or criminal action.

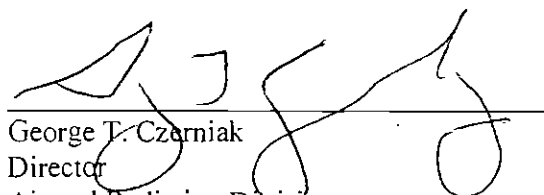
21. Kenosha Steel Castings agrees to the terms of this Order.

22. This Order is effective on the date of signature by the Director of the Air and Radiation Division. This Order will terminate two years from the effective date, provided that Kenosha Steel Castings has complied with all terms of the Order throughout its duration.

5-1-14
Date


Richard L. Flahive, VP/GM
Kenosha Steel Castings

5/16/14
Date


George T. Czerniak
Director
Air and Radiation Division
U.S. Environmental Protection Agency, Region 5

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent the Administrative Consent Order, EPA-5-14-113(a)-WI-01, by certified mail, return receipt requested, to:

Richard Flahive
Kenosha Steel Castings
3303 66th Street
Kenosha, Wisconsin 53142

I also certify that I sent a copy of the Administrative Consent Order, EPA-5-14-113(a)-WI-01, by first-class mail to:

The Bureau of Air Management
Wisconsin Department of Natural Resources
2300 North Dr. Martin Luther King Jr. Dr.
Milwaukee, Wisconsin 53212

On the 19 day of May 2014.



Loretta Shaffer
Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7676 3417